

DEPARTMENT OF ADMINISTRATIVE SERVICES
INTERNAL POLICIES AND PROCEDURES

Subject: WORKING CONDITIONS

Date: August 4, 2008

Ref: DHRM Rule Sections R477-8-1 to R477-8-5
DAS Policy on Telecommuting

Purpose:

To establish policy and guidance relative to general working conditions with respect to working hours and alternative work schedules for Department of Administrative Services' employees.

This policy is in accordance with the provisions of the DHRM Rules, which in part, states that each agency shall write its own policies related to working conditions so long as those policies are not inconsistent with the rules established by DHRM.

Policy:

Each division will comply with the policies and directives established in this policy relative to working hours, alternative work schedules and telecommuting.

1. **Work Period:** The State's standard work week begins Saturday, 12 a.m., and ends the following Friday, 11:59 p.m.
2. **Business Hours.** All Department of Administrative Services divisions will be open and staffed, Monday through Thursday from 7 a.m. to 6 p.m. Extended business hours have been adopted to enhance service to the public and other customers. The Executive Director may grant exceptions where a 4 day, 10 hour business schedule makes delivery of services impractical.
3. **Lunch and break periods.** Each full time work day shall include a minimum 30 minutes uncompensated lunch period. Each employee is eligible for a 15 minute compensated break for every half day worked. Lunch and break periods shall not be adjusted or accumulated to accommodate a shorter work day or longer lunch period.
4. **Employees are required to be at work on time.** An employee who is late, regardless of the reason including inclement weather, shall make up the lost time by using accrued leave (sick leave, if appropriate), leave without pay, or with management approval, may temporarily adjust their work schedule. Time spent commuting to and from work is not work time.

5. **Alternative Work Schedule:** At the discretion of the Division Director, employees may participate in an alternative work schedule so long as office coverage is accomplished and customer needs are met.
- a. Normal starting time will be between 6 a.m. and 8 a.m. with an end time between 5 p.m. and 7 p.m., as approved by their supervisor.
 - b. Employees desiring to participate in an alternative work schedule must complete the agreement in Attachment (1). This agreement shall be signed by the employee and by the employee's supervisor.
 - c. An alternative work schedule is not a right. The supervisor may revoke or modify the schedule any time necessary. Employees who are placed on a corrective action plan, or under disciplinary restrictions, may not work an alternative work schedule while they remain on corrective action.
 - d. An alternative work schedule may not cause a person to earn overtime hours that have not been approved
 - e. Holidays are based on ten hour workdays. Employees who will remain on 8-hour shifts will need to adjust their schedules of hours worked or leave used to total 30 hour for the week for FLSA non-exempt or 70 hours for the pay period for an FLSA exempt employee. In this same case, when a holiday falls on the employees' normal day off, employees must adjust their work schedule so as not to accumulate excess hours in the work week or pay period which includes the holiday.
 - f. Other type of paid leave (such as annual, sick, etc.) will be based on the normal schedule of the employee -- 10 hours for employees on a work schedule of four 10-hour days or 8 hours for employees on a work schedule of five-8 hours days.
 - g. Agency management shall deny the use of leave time that will result in an employee accruing excess hours. Exceptions must be approved by the Executive Director, DAS or designee.
6. **Overtime:** Employees and supervisors will abide by DHRM Rule, Section R477 8-5, governing overtime. No employee is allowed to work overtime unless specifically pre-approved by their supervisor. An employee who works overtime without such approval is subject to disciplinary action.
- a. FLSA non-exempt employees who are approved for overtime will begin to accrue overtime at time and one-half after actually working 40 hours in one week. Leave taken during a work week will not count toward the 40 hour working requirement to be eligible to earn overtime. FLSA non-exempt employees must sign an overtime compensation election agreement where they elect to receive either time off or payment at one and one-half times their hourly rate.

- b. FLSA exempt employees who are approved for overtime will begin to accrue straight time, hour for hour compensatory time after actually working 80 hours in a two week pay period. Leave taken during a two week pay period will not count toward the 80 hour working requirement to be eligible to earn overtime. FLSA exempt employees may not accrue more than 80 hours compensatory time. Once an employee exceeds 80 hours compensatory time, any additional overtime will be paid out on the next paycheck.
7. **On-call time:** To provide adequate service and respond to emergencies, management may assign staff to be "on-call".

Only employees directed by agency management to be "on-call" and who have completed the On-Call Agreement, Attachment (2) are eligible for on-call compensation.

- a. The employee on-call will be compensated one hour for every 12 hours on call. This time will be recorded on the time sheet as "on-call" time and not "hours worked" and will be paid out on the next payroll. On-call time (1 for 12) does NOT count toward the working requirement to be eligible to earn overtime.
- b. Each job related telephone call received or initiated by the employee during the on-call period is to be tracked for actual air time. The air time minutes of all telephone calls received or initiated by the employee during the on-call time period are to be totaled and rounded to the nearest fifteen minute increment as "hours worked."
- c. Any time an employee actually works during their authorized "on-call" period shall be totaled at the end of the on-call period and rounded to the nearest fifteen (15) minutes.
- d. Regular time to the job and back home is not work time. However, travel to the job and back home by an employee who receives an emergency call outside of regular hours or during an on-call period to report back to work is working time. Employees are also eligible for mileage reimbursement for the commute to and from work during the on-call period.
- e. Employees who are on-call are required to be fit for duty, and must not be impaired by alcohol, prescription drugs, or illegal drugs. If an employee is not fit for duty, they must inform their supervisor of such, so a replacement can be named. Failure to inform their supervisor of their inability to perform the functions of the job will be grounds for discipline.
- f. On-call time (1 for 12) is to be recorded on the time sheet on the day the on-call shift begins. Actual hours worked during the on-call period is recorded on the day the work begins.

8. **Telecommuting:** At the discretion of their respective division directors, employees may participate in a telecommuting program. As in the case of flex-time scheduling, this is a privilege that may be offered by division directors and not a universal employee benefit. DAS employees wishing to telecommute will adhere to the Department's Policy on Telecommuting. Telecommuting is not allowed on Fridays without prior approval from the Executive Director or designee.

State of Utah
Department of Administrative Services

ALTERNATIVE WORK AGREEMENT

The _____ grants permission to _____
Division Employee
to work the following alternative schedule:

Day	Beginning Hour	Ending Hour	Lunch (30 or 60 min.)
Monday			
Tuesday			
Wednesday			
Thursday			
Friday			
Saturday			
Sunday			

This schedule is set by the employee's supervisor and provides adequate work group and office coverage of functions between the hours of, 7:00 a.m. and 6:00 p.m. Monday through Thursday. The schedule includes a lunch period (30 or 60 minutes) as indicated. Lunch and break periods may not be used in such a manner as to shorten the work day. The above outlined schedule may be modified per business need at the instruction of the employee's supervisor.

This schedule will remain in effect as long as productivity is not negatively impacted and it is of benefit to the division. Additionally, non-compliance with this schedule and/or requests for frequent adjustments to this schedule will be reason for reverting to a more traditional schedule, such as 7:00 a.m. to 6:00 p.m.

By signing, the employee agrees to abide by this policy and understands that abuse of this program will result in loss of the privilege to participate in the flex time program.

Employee Signature

Date

Supervisor Signature

Date

State of Utah
Department of Administrative Services
ON-CALL AGREEMENT
July 2008

EMPLOYEE NAME: _____ EIN: _____

DIVISION: _____

SUPERVISOR NAME: _____

AGREEMENT TERMS AND CONDITIONS

I hereby agree to be placed on "on-call" status with the Department of Administrative Services and understand that agency management has required that I make myself available to return to work during management specified dates and time frames.

My signature also denotes:

- 1) I acknowledge, I have freedom of movement in personal matters and that I am not being restricted to a specified location, but have made myself available for call to duty.
- 2) I acknowledge that I will respond to a call or page within _____ minutes. If I am required to report to a specified work site, I will do so within _____ minutes.
- 3) I will be compensated at my regular hourly rate for "on-call period" at a rate of 1 hour for every 12 hours that I am on "on-call" status.
- 4) All "on-call" time is to be reported on the time sheet for that pay period worked.
- 5) Any time actually worked during the "on-call period" shall be recorded as "hours_worked" on my timesheet in 15 minute increments. I shall receive compensation for "hours worked" in addition to "on-call time." In order to record 15 minutes, I understand I must actually work 8 or more minutes which rounds to 15 minutes. Any time actually worked is to be reported on the time sheet corresponding to the day when the hours_were actually worked.
- 6) I acknowledge that I have read and understand the Working Conditions policy.
- 7) Any breach of this agreement may result in corrective or disciplinary action.

Employee Signature

Date

Supervisor Signature

Date